

# **CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL**

*Submit an original and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX, if applicable:

☐ DUPLICATE**Address to:**

Commissioner for Patents  
Box CPA  
Washington, D.C. 20231

Attorney Docket No.  
of Prior Application 400396

Client Reference No.

First Named Inventor CHANG et al.

Examiner Name T. Dove

Group Art Unit 1745

Express Mail Label No.

This is a request for a ☐ continuation or ☒ divisional application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number 09/416,270 filed on October 12, 1999, entitled LITHIUM POLYMER BATTERY.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either (1) complete as defined by 37 CFR 1.51(b) or (2) the national stage of an international application in compliance with 37 USC 371. Effective May 29, 2000, a CPA may only be filed in a utility or plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the application under 35 USC 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or information concerning, the other application or applications in the file jacket.

**35 USC 120 STATEMENT:** No reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 USC 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☐ An Information Disclosure Statement (IDS) is enclosed, along with:
  - a. ☐ Form PTO-1449
  - b. ☐ Copies of Listed Documents
6. ☐ Applicant claims small entity status. See 37 CFR 1.27.

**APPLICATION FEES**

<b>BASIC FEE</b>				<b>\$750.00</b>
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	
Total Claims	12	-20=	x \$18.00	\$
Independent Claims	1	-3=	x \$84.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$280.00	\$
Subtotal of application fees =				<b>\$750.00</b>
Reduction by 50% for filing by small entity =				(\$ )

FAX RECEIVED  
JAN 24 2003  
GROUP 1700

## CPA REQUEST TRANSMITTAL

Application No. 09/416,270  
 Attorney Docket No. 400396  
 Client Reference No.

Extension Fees	
<input type="checkbox"/> A one-month extension of time under 37 CFR 1.136 is requested.	\$
<input type="checkbox"/> An extension for one month has already been secured and the fee paid therefor of \$110.00 is deducted from the total fee due for the total amount of extension now requested.	\$
<input checked="" type="checkbox"/> No petition for an extension of time is necessary; to the extent that such petition is deemed necessary, a petition for a sufficient extension of time to render the present submission timely is requested. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.	
Subtotal of extension fees = \$750.00	
TOTAL FEE = \$750.00	

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 12-1216:

a. ☒ Filing fee \$750.00.

b. ☒ Any additional fees required under 37 CFR 1.16.

c. ☒ Fees required under 37 CFR 1.17.

8. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 CFR 1.17(f) is enclosed.)

9. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.

10. Also enclosed:

a. ☒ Receipt for Facsimile Transmitted CPA

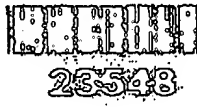
b. ☐ Return Receipt Postcard (Should be specifically itemized)

c. ☐ Other:

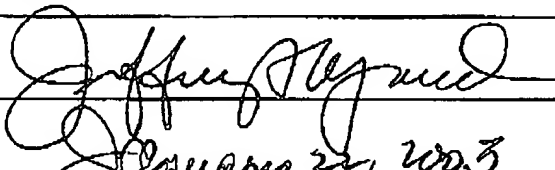
11. ☐ Request & Certification Under 35 USC 122(b)(2)(B)(I) (Form PTO/SB/35 or its equivalent must be submitted with this application to prevent publication at 18 months)

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

## 12. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number: 23548  FACSIMILE TRANSMITTED OFFICE	<input type="checkbox"/> Jeffrey A. Wyand, Reg. No. 29,458 Leydig, Voit & Mayer 700 Thirteenth Street, N.W., Suite 300 Washington, D.C. 20005-3960 (202) 737-6770 (telephone) (202) 737-6776 (facsimile)
---	---

## 13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	Jeffrey A. Wyand, Reg. No. 29,458
Signature	
Date	January 22, 2003

## Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this Continued Prosecution Application (CPA) Request Transmittal and Receipt for Facsimile Transmitted CPA are being facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Jeffrey A. Wyand		January 22, 2003
Name of Person Signing	Signature	Date

CPA Transmittal (Revised 12/31/02)

<p>If this RECEIPT is included with a request for a CPA filed by facsimile transmission, it will be date stamped and mailed to the ADDRESS in Item 1.</p>		<p align="center"><b>RECEIPT</b></p> <p align="center"><b>FOR</b></p> <p align="center"><b>FACSIMILE TRANSMITTED</b></p> <p align="center"><b>CPA</b></p> <p align="center"><i>(To accompany a request for a Continued Prosecution Application (CPA) under 37 CFR §1.53(d) filed by facsimile transmission)</i></p>
<p><b>1. ADDRESS</b></p>	<p>Applicant's Mailing Address for this receipt <u>must</u> be CLEARLY PRINTED or TYPED in the box below</p> <p align="center">Leydig, Voit &amp; Mayer 700 Thirteenth Street, N.W., Suite 300 Washington, D.C. 20005-3960</p>	
<p><b>NOTE:</b> By this receipt, the PTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the PTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.</p>		
<p><b>2. APPLICATION IDENTIFICATION:</b> <i>(Provide at least enough information to identify the application)</i></p> <p><b>a. For prior application</b></p> <p>Application No: 09/416,270 Filing Date: October 12, 1999 Title: LITHIUM POLYMER BATTERY Attorney Docket No: 400396 First Named Inventor: CHANG et al.</p> <p><b>b. For instant CPA application</b></p> <p>New Attorney Docket No: <i>(if applicable)</i></p>		
<p>The PTO date stamp, which appears in the box to the right, is an acknowledgment by the PTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.</p>		<p align="center"><i>(THIS AREA FOR PTO DATE STAMP USE)</i></p>
<p><b>PTO HANDLING INSTRUCTIONS:</b> Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the PTO and also include the PTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope and mail.</p>		

CPA-Facsimile (Rev. 7/10/2002)

FAX RECEIVED  
JAN 24 2003  
GROUP 1700

PATENT  
Attorney Docket No. 400396/Y.P. LEE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

CHANG et al.

Art Unit: 1745

Application No. 09/416,270

Examiner: T. Dove

Filed: October 12, 1999

For: LITHIUM POLYMER BATTERY

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Prior to the examination of the above-identified patent application, please enter the following amendments and consider the following remarks.

**IN THE CLAIMS:**

Replace the indicated claims with:

23. (Amended) A method of making a lithium polymer battery comprising:  
preparing a positive active material slurry by preparing a first solution by dissolving a binder in a solvent, adding a plasticizer, and adding a lithium salt as a positive active material, and adding carbon black to the first solution to produce a first mixture;  
stirring the first mixture to increase viscosity of the first mixture;  
applying the first mixture to opposite sides of an aluminum foil, the aluminum foil including a plurality of through holes extending through the aluminum foil, as a positive collector, to form a positive plate;  
preparing a negative active material slurry by preparing a second solution by dissolving a binder in a solvent and adding a plasticizer, and adding carbon black to the second solution to produce a second mixture;  
stirring the second mixture to increase viscosity of the second mixture;  
applying the negative active material slurry to opposite sides of a copper foil, the copper foil being free of holes, as a negative collector, to form a negative plate;  
laminating the positive plate and the negative plate on opposite sides of a separator;